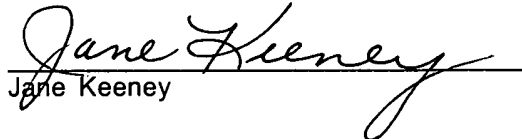


Appln. No. 10/733,970
Amendment dated April 20, 2005
Reply to Office Action of: March 24, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on April 20, 2005 with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Jane Keeney

Appln. No. 10/733,970
Amendment dated April 20, 2005
Reply to Office Action of: March 24, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Philip E. Eggers *et al.*
Serial No. : 10/733,970
Filed : December 11, 2003
For : System, Method and Apparatus for Evaluating
: Tissue Temperature
TC/AU : 3739
Examiner : Roy D. Gibson
Attorney Docket No. : CAL 2-018

Honorable Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Amendment and Response

Sir:

Responsive to the Office Action mailed March 24, 2005 additional amendments correcting typographical error are submitted herewith and a provisional election with respect to a restriction requirement is provided.

Please amend the above-identified application.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Amendments to the Drawings begin on page 38 of this paper

Remarks/Arguments begin on page 39 of this paper.